



State of New Jersey
DEPARTMENT OF HEALTH AND SENIOR SERVICES
OFFICE OF EMERGENCY MEDICAL SERVICES
PO BOX 360
TRENTON, N.J. 08625-0360

CHRISTINE TODD WHITMAN
Governor

www.state.nj.us/health

CHRISTINE GRANT, I.D., M.B.A.
Commissioner

June 29, 2000

Mr. Vincent Robbins
President
MONOC
151 Industrial Way East
Eatontown, NJ 07724

Re: Notice of Proposed Assessment of Penalties / Ambulance
Investigation Control #00-B-072

Dear Mr. Robbins:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1, et seq., which was enacted, in part, to ensure that hospital and related health care services are of the highest quality. As defined at N.J.S.A. 26:2H-2b, health care services include mobility assistance vehicle and ambulance services.

In addition, N.J.S.A. 26:2H-5 grants the Commissioner of Health and Senior Services the power to inquire into health care services and to conduct periodic inspections with respect to the fitness and adequacy of the equipment and personnel employed by those services. In furtherance of these statutory objectives, the Department of Health and Senior Services adopted regulations that govern the licensure and inspection of mobility assistance vehicles and ambulances. See, N.J.A.C. 8:40-1.1, et seq.

On March 27, 2000 at approximately 11:40 a.m., staff of this Department's Office of Emergency Medical Services (OEMS) conducted an unannounced inspection of MONOC's ambulance #47 (New Jersey license plate #NF-16136, VIN #26924), which was parked at CentraState Medical Center in Freehold, New Jersey. The inspection revealed the following deficiency:



1. There was a moldy, spore covered towel on the shelf of the top bulkhead cabinet, thus presenting a sanitary hazard to the vehicle's occupants. In addition, rust and corrosion were visible on the interior of the cabinet, suggesting a possible leak. This is a violation of N.J.A.C. 8:40-3.14(a), which requires that the interior of the vehicle, including all areas used for storage, and the equipment and supplies within the vehicle shall be kept clean and sanitary. A disinfectant shall be routinely applied to all contact surfaces. The floor, wall areas and equipment shall be free of stains, dirt, debris and odors.

Pursuant to N.J.S.A. 26:2H-14, the Department may impose a penalty of not more than \$2,500.00 per day for each day that a licensee is in violation of any of the patient care regulations set forth in Chapter 40. Therefore, in accordance with N.J.S.A. 26:2H-14 and N.J.A.C. 8:40-2.14(e)6, you are hereby assessed a penalty in the amount of \$250.00 for the violation noted above.

A certified check or money order in the amount of \$250.00, made payable to "Treasurer, State of New Jersey," must be submitted within 30 days from the date of this Notice (i.e., by July 28, 2000). In accordance with N.J.S.A. 26:2H-16 and N.J.A.C. 8:40-2.14(f), failure to pay this penalty may result in a summary civil proceeding in the Superior Court of New Jersey pursuant to the Penalty Enforcement Law (N.J.S. 2A:58-1, et seq.), refusal by the Department to issue or renew a license and/or any such other action as authorized by law. Payment should be forwarded to:

New Jersey Department of Health & Senior Services
Office of Emergency Medical Services
P.O. Box 360
Trenton, NJ 08625-0360
Attn: Ms. Darcy Saunders

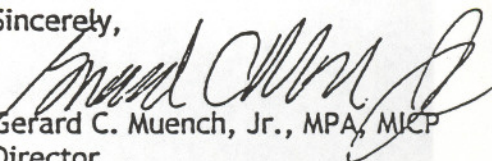
Pursuant to N.J.S.A. 26:2H-13 and N.J.A.C. 8:40-2.15, you are entitled to a hearing before the Office of Administrative Law to contest this proposed penalty assessment. Your request for a hearing on this matter must be submitted in writing and must be accompanied by a response to the deficiency noted above. In the event that you request a hearing, this penalty shall be held in abeyance until such time as the hearing has been concluded and a final decision has been rendered.

Your request for a hearing must be submitted within 30 days from the date of this Notice (i.e., by July 28, 2000), and should be forwarded to:

New Jersey Department of Health & Senior Services
Office of Legal & Regulatory Affairs
P.O. Box 360, Room 805
Trenton, NJ 08625-0360
Attn: Mrs. Carole Slimm

Please include the control number noted above (i.e., #00-B-072) on all of your correspondence. Finally, please note that failure to submit a request for a hearing by July 28, 2000 shall render this Notice final, and the entire \$250.00 shall be immediately due and payable. If you have any questions concerning this matter, please do not hesitate to contact Mr. Victor Carter of my office at (609) 633-7777.

Sincerely,



Gerard C. Muench, Jr., MPA, MLC
Director

Office of Emergency Medical Services

C: Mrs. Slimm, L&RA
Ms. Halupke, OEMS
Mr. Carter, OEMS
Ms. Giblin, OEMS
Ms. Saunders, OEMS

CERTIFIED MAIL #Z-424-792-405
RETURN RECEIPT REQUESTED